

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.467c Incumbent district court judge as candidate in primary election; affidavit of candidacy; contents; printing name on ballot; primary and general election for 2 or more judgeships; listing categories of candidates on ballot; death or disqualification of incumbent judge; application of subsection (4).

Sec. 467c. (1) An incumbent district court judge may become a candidate in the primary election for the office of which he or she is an incumbent by filing with the secretary of state an affidavit of candidacy in lieu of nominating petitions not less than 134 days prior to the date of the primary election. However, until December 31, 2013, if an incumbent district court judge was appointed to fill a vacancy and the judge entered upon the duties of office less than 137 days before the date of the primary election but before the fourteenth Tuesday before the primary election, the incumbent judge may file the affidavit of candidacy not more than 3 days after entering upon the duties of office. Beginning January 1, 2014, if an incumbent district court judge was appointed to fill a vacancy and the judge entered upon the duties of the office less than 137 days before the date of the primary election but before the fifteenth Tuesday before the primary election, the incumbent judge may file the affidavit of candidacy not more than 3 days after entering upon the duties of office. The affidavit of candidacy shall contain statements that the affiant is an incumbent district court judge for the district or election division in which election is sought, that he or she is domiciled within the district or election division, and that he or she will not attain the age of 70 by the date of election, and a declaration that the affiant is a candidate for election to the office of district court judge.

(2) There shall be printed upon the ballot under the name of each incumbent district judge who is a candidate for nomination or election to the same office the designation of that office.

(3) In the primary and general election for 2 or more judgeships of the district court, each of the following categories of candidates shall be listed separately on the ballot, consistent with subsection (4):

(a) The names of candidates for the judgeship or judgeships for which the incumbent is seeking election.

(b) The names of candidates for an existing judgeship or judgeships for which the incumbent is not seeking election.

(c) The names of candidates for a newly created judgeship or judgeships.

(4) If the death or disqualification of an incumbent judge triggers the application of section 467e(2), then for the purposes of subsection (3) and section 467b(2), that judgeship shall be regarded as a judgeship for which the incumbent judge is not seeking election. The application of this subsection includes, but is not limited to, circumstances in which the governor appoints an individual to fill the vacancy and that individual seeks to qualify as a nominee under section 467e(2).

History: Add. 1968, Act 155, Imd. Eff. June 17, 1968;—Am. 1970, Act 10, Imd. Eff. Mar. 31, 1970;—Am. 1982, Act 149, Imd. Eff. May 6, 1982;—Am. 1990, Act 32, Imd. Eff. Mar. 21, 1990;—Am. 1999, Act 218, Eff. Mar. 10, 2000;—Am. 2012, Act 276, Eff. Aug. 16, 2012.

Popular name: Election Code